



IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/532,431

Filing Date

March 24, 2006

First Named Inventor

Kretschmer et al.

Art Unit

1637

Examiner Name

Not Yet Known

Attorney Docket Number

52296AUSM1

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

PTO-1449 With Cited Refs.
Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Berlex Biosciences.

Signature

Wendy L. Washtien

Printed name

Wendy L. Washtien Ph.D.

Date

Nov 1, 2006

Reg. No.

36,301

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

A. M. Babb

Typed or printed name

Alishia L. Rowe-Babb

Date

Nov. 01. 06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Kretschmer et al.

:Group Art Unit: 1637

Application No.: 10/532,431

:Examiner: Not Yet Known

Filed: March 24, 2006

:Docket No. 52296AUSM1

For: "NOVEL PROSTATE TUMOR-SPECIFIC PROMOTER."

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR §1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references cited on the attached form PTO-1449 (copies enclosed). The references cited on the attached form PTO-1449 include references that were first cited in a foreign search report (attached) in a counterpart foreign application not more than 3 months prior to the mailing date of this IDS. As to any reference supplied, Applicants do not admit that it is "prior art" under 35 U.S.C. §102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. §1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

This Supplemental IDS is being filed before the mailing of the first Office Action on the merits as described in 37 CFR 1.97(b). Therefore, it is believed that no fee is required under 37CFR 1.97(b)(3). However, the Commissioner is hereby authorized to charge any fees required for the filing of this application to deposit account 02-2117.

Please acknowledge receipt of this Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

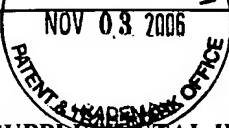
Respectfully Submitted,

Wendy L. Washtien

Wendy L. Washtien, Ph.D. (Reg. No.36,301)
Patent Agent for Applicants

Date: Nov 1, 2006

Berlex Biosciences
2600 Hilltop Drive
P.O. Box 4099
Richmond, California 94804-0099
Telephone No. 510-669-4483
Facsimile No. 510-262-7095
Customer No. 27586

FORM PTO-1449 (REV.7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 52296AUSM1	APPLICATION NO. 10/532,431		
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>			APPLICANTS Kretschmer et al.			
			FILING DATE March 24, 2006	GROUP ART UNIT 1637		
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	None					
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
				YES	NO	
	WO98/09655	Mar. 12. 98	PCT			
	WO00/58470	Oct. 05. 00	PCT			
	WO01/32685	May. 10. 01	PCT			
	WO02/10382	Feb. 07. 02	PCT			
	Database EMBL Online., "Homo Sapiens Chromosome 19 Clone CTD-2226J19, Complete Sequence." Database Accession No. AC008891 Nucleotides 106142-108617. (1999-08-04) August 04, 1999.					
EXAMINER			DATE CONSIDERED			
* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).						